



City Council Meeting Action Agenda June 20, 2016 Council Chambers, First Floor

Present:

Mayor William V. Bell.
Mayor Pro Tempore Cora Cole-McFadden and Council Members
Eddie Davis
Jillian Johnson
Don Moffitt
Charlie Reece
Steve Schewel

Absent: None

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[Consent Agenda]

1. Approval of City Council Minutes

To approve the City Council Minutes for the following meeting dates: April 21, 2016 and May 2, 2016. [Approved by Vote: 7/0]

(Resource Person: D. Ann Gray – 919-560-4166 ext. 12267) ([PR# 11196](#))

2. Mayor's Nominee for Reappointment – Durham Open Space and Trails Commission

To reappoint Joseph Jackson to the Durham Open Space and Trails Commission as a Mayor's Appointee with the term to expire on June 30, 2019. [Approved by Vote: 7/0]

(Resource Person: LaVerne V Brooks – 919-560-4166 ext. 12264) ([PR# 11190](#))

3. Mayor's Nominee for Reappointment – Human Relations Commission

To reappoint Susan Austin to the Human Relations Commission as a Mayor's Appointee with the term to expire on June 30, 2019. [Approved by Vote: 7/0]

(Resource Person: LaVerne V. Brooks – 919-560-4166 ext. 12264) ([PR# 11191](#))

4. FY2015-16 Amendments to the Budget Ordinance, Grant Project Ordinances and Internal Service Funds Spending Plans

To adopt a Budget Ordinance Amending the City of Durham Budget Ordinance as amended, Fiscal Year 2015-16, the same being Ordinance # 14808;

To adopt the U.S Department of Housing and Urban Development Community Development Block Grant (CDBG) FY 2014-15 Grant Project Ordinance superseding GPO # 14601;

To adopt the U.S Department of Housing and Urban Development Community Development Block Grant (HOME) FY2014-15 Grant Project Ordinance (GPO) Superseding GPO # 14602;

To adopt the North Carolina Department of Environment and Resources Clean Water Management Trust Fund Grant FY2011-12 Grant Project Ordinance (GPO) Superseding GPO # 14209;

To adopt the FY 2015-16 Transit Planning and Capital Grant Project Ordinance (GPO) Superseding GPO # 14790; and

To adopt a Resolution superseding Resolution #9944 to amend the Employee Insurance Internal Service Fund Fiscal Year 2015-16 Financial Plan. [Approved by Vote: 7/0]

(Resource Person: John J. Allore – 919-560-4111 ext. 20292) ([PR# 11168](#))

5. Fiscal Year 2016-17 Budget and 2017-22 Capital Improvement Plan (CIP)

To adopt the Fiscal Year 2016-17 Budget and 2017-22 Capital Improvement Plan (CIP) Ordinances and Other Related Ordinances.

Note: By a vote of 7/0, all of the below Fiscal Year 2016-17 Budget Matters were approved.

Fiscal Year 2016-17 City of Durham Budget Matters:

A) Fees

1) To adopt an Ordinance to Amend Chapter 15 of the Water Management Department Fee Schedule for Water and Sewer Miscellaneous Charges, Sec. 1 Part 15-501

(Deposits for water service); Sec. 2 Part 15-109 (Extraction and restoration); Sec. 3 Part 15-106 (Surcharge for use of sewers); Sec. 4 Part 13B-107 (Development-related permits, agreements and fire flow tests); Sec. 5 Part 13B-109 (Existing and new water connections).

B) Capital Project Ordinances

- 1) To adopt the City of Durham General Capital Improvements Project Ordinance Fiscal Year 2016-17;
- 2) To adopt the City of Durham Water and Wastewater Capital Improvements Project Ordinance Fiscal Year 2016-17;
- 3) To adopt the City of Durham Stormwater Capital Improvements Project Ordinance Fiscal Year 2016-17;
- 4) To adopt the City of Durham Solid Waste Capital Improvements Project Ordinance Fiscal Year 2016-17;
- 5) To adopt the City of Durham Parking Capital Improvements Project Ordinance Fiscal Year 2016-17;
- 6) To adopt the City of Durham Transit Fund Capital Improvements Project Ordinance Fiscal Year 2016-17;
- 7) To adopt the City of Durham Performing Arts Center Capital Improvements Project Ordinance Fiscal Year 2016-17.

C) Grant Project Ordinances

- 1) To adopt the City of Durham Employment and Training Workforce Innovation and Opportunity ACT (WIOA) Fiscal Year 2016 – 2018 Grant Project Ordinance;
- 2) To adopt the City of Durham and North Carolina Department of Transportation Apprentice Grant Project Ordinance Fiscal Year 2016-17;
- 3) To adopt the City of Durham Transit Section 9 Planning and Capital Grant Project Ordinance Fiscal Year 2016-17;
- 4) To adopt the City of Durham 5303 Metropolitan Transit Planning Grant Project Ordinance Fiscal Year 2016-17;
- 5) To adopt the City of Durham 5307 Transit Capital Bus Grant Project Ordinance Fiscal Year 2016-17;
- 6) To adopt the City of Durham 5307 Federal Transit 5307 STPDA Grant Project

Ordinance Fiscal Year 2016-17;

7) To adopt the City of Durham 5339 Bus and Bus Facilities Grant Project Ordinance Fiscal Year 2016-17;

8) To adopt the City of Durham and North Carolina Department of Transportation Section 104(f) and Section 133(b)(3)(7) Transportation Planning Grant Project Ordinance Fiscal Year 2016-17;

9) To adopt the City of Durham and U.S. Department of Justice Federal Asset Forfeiture Funds Grant Project Ordinance Fiscal Year 2016-17;

10) To adopt the City of Durham and State of North Carolina Controlled Substance Abuse Funds Grant Project Ordinance Fiscal Year 2016-17;

11) To adopt the City of Durham and Federal Task Team Initiatives Grant Project Ordinance Fiscal Year 2016;

12) To adopt the City of Durham and the United States Marshals Service, Fugitive Apprehension Task Force Agreement Grant Project Ordinance Fiscal Year 2016-17;

13) To adopt the City of Durham and U.S. Department of Justice Office of Justice Programs, Bureau of Justice Assistance Local Solicitation Edward Byrne Memorial Justice Assistance Grant (JAG) Project Ordinance Fiscal Year 2016-17;

14) To adopt the City of Durham and The Town of Chapel Hill Halloween Grant Project Ordinance Fiscal Year 2016;

15) To adopt the City of Durham and North Carolina Governor's Highway Safety Program Bike Safe Grant Project Ordinance Fiscal Year 2016-17;

16) To adopt the City of Durham and U.S. Department of Treasury Financial Crimes Task Force Grant Project Ordinance Fiscal Year 2016-17;

17) To adopt the City of Durham and North Carolina Governor's Highway Safety Program Grant Project Ordinance Fiscal Year 2016-17;

18) To adopt the City of Durham and Office of National Drug Control Policy, High Intensity Drug Trafficking Areas (HIDTA) Grant Project Ordinance Fiscal Year 2016-17;

19) To adopt the City of Durham and U.S. Department of Justice Federal Asset Forfeiture Funds Grant Project Ordinance Fiscal Year 2015-16 Superseding Ordinance #14795; and

20) To adopt the City of Durham and The State of North Carolina Controlled Substance Abuse Grant Project Ordinance Fiscal Year 2015-16 Superseding Ordinance #14796.

D) To adopt the Resolution Establishing Financial Plans for Internal Service Funds for Fiscal Year 2016-17;

E) To adopt the City of Durham Budget Ordinance for Fiscal Year 2016-17; and

F) To adopt an Ordinance to amend Section 42-16 – City holidays of the Durham, North Carolina code of ordinance to recognize Veteran's Day for all full-time and part-time with benefits employees.

(Resource Person: John J. Allore – 919-560-4111 ext. 20292) ([PR# 11167](#))

7. Resolution in Support of Faith I.D. of Durham

To adopt a Resolution in Support of the Faith I.D. of Durham. [Approved by Vote: 7/0]

(Resource Person: Council Member Steve Schewel – 919-560-4333) ([PR# 11197](#))

8. Proposed FY17 Planning Department Work Program

To approve the FY17 Planning Department Work Program. [Approved by Vote: 7/0]

(Resource Persons: Sara Young, AICP and Steven L. Medlin, AICP – 919-560-4137)
([PR# 11156](#))

9. Durham Bicycle and Pedestrian Advisory Commission Annual Report

To receive the 2015 annual report of the Bicycle and Pedestrian Advisory Commission.
[Approved by Vote: 7/0]

(Resource Person: Dale McKeel – 919-560-4366 ext. 36421) ([PR# 11182](#))

10. Contract with Stewart Engineering Inc. for the Development of the Duke Belt Line Trail Master Plan

To authorize the City Manager to execute an agreement with Stewart Engineering Inc. for the development of the Duke Belt Line Trail Master Plan in an amount not to exceed \$297,700.00. [Approved by Vote: 7/0]

(Resource Person: Dale McKeel – 919-560-4366 ext. 36421) ([PR# 11184](#))

11. Inter-local Agreement for Regional Transit Information Center

To authorize the City Manager to execute the Fiscal Years 2016-2018 Services Agreement for the GoTransit Regional Information Center among the City of Durham, Town of Cary, Town of Chapel Hill, City of Raleigh and the Research Triangle Regional

Public Transportation Authority d/b/a GoTriangle. [Approved by Vote: 7/0]

(Resource Person: Harmon E. Crutchfield – 919-560-4366 ext. 36439) [\(PR# 11186\)](#)

12. Ordinance Amending Section 70-57 Payment of Water, Sewer and Stormwater Bills and Section 70-5 Obstruction of Water Meters

To adopt an Ordinance Amending the City Code and the City Fee Schedule to:

Section 70-57 to revise the collections process, delinquency fees, late payment charges, and acknowledge e-mail as an acceptable method of providing documentation to customers;

Section 70-57 to authorize the use of tow service to remove obstructions to City meter access;

Amend Part 15-108 of the Fee Schedule regarding cost of location visits; and

Amend Part 15-113 of the Fee Schedule to add a delinquency charge of \$50.00.
[Approved by Vote: 7/0]

(Resource Person: Don Greeley – 919-560-4381 ext. 35258) [\(PR# 11050\)](#)

13. Water Regulatory Compliance Engineering Design Services Contract, Amendment No. 5 with Black and Veatch International Company

To authorize the City Manager to negotiate and execute a contract amendment with Black & Veatch International Company for additional services related to the contract for additional costs not to exceed \$2,265,200.00;

To establish a contingency fund for the contract in the amount of \$250,000.00; and

To authorize the City Manager or his designee to negotiate modifications to the contract provided that the total cost of all modifications together with the original contract does not exceed \$11,106,762.00. [Approved by Vote: 7/0]

(Resource Person: Jerry Morrone – 919-650-4381 ext. 35243) [\(PR# 11140\)](#)

14. Brown and Williams Water Treatment Plants Expansion and Upgrades Project Construction Contract Award to Crowder Construction Company

To authorize the City Manager to execute a contract with Crowder Construction Company for the Brown and Williams Water Treatment Plants Expansion and Upgrade project in the amount of \$57,057,000.00;

To establish a contingency fund for the contract in the amount of \$5,700,000.00; and

To authorize the City Manager to negotiate change orders for the contract provided that the cost of all change orders together with the original contract does not exceed \$62,757,000.00. [Approved by Vote: 7/0]

(Resource Person: Jerry Morrone – 919-560-4381 ext. 35243) ([PR# 11141](#))

15. Eno Economic Development District Water and Sewer System Project – Amendment #2 for Professional Engineering Services – CDM Smith, Inc.

To authorize the City Manager to execute a contract amendment with CDM Smith Inc. for Professional Engineering Services in an amount not to exceed \$353,300.00 for the Economic Development District Water and Sewer System Project;

To establish a contingency fund for modifications to the contract in an amount not to exceed \$36,700.00; and

To authorize the City Manager to negotiate modifications to the contract provided that the total contract cost including all modifications does not exceed \$525,200.00. [Approved by Vote: 7/0]

(Resource Person: Jerry Morrone – 919-560-4381 ext. 35243) ([PR# 11179](#))

16. Supplemental Article No. 7 Compendium of Raw Water Sources for Jordan Lake Partners

To authorize the City Manager to execute Jordan Lake Partnership Supplemental Article #7, Compendium of Potential Raw Water Sources. [Approved by Vote: 7/0]

(Resource Person: Vicki Westbrook – 919-560-4381 ext. 35266) ([PR# 11192](#))

17. City/County Radio System Service Agreement Renewal with Motorola Solutions Inc.

To authorize the City Manager to execute a 5-year Service Agreement with Motorola Solutions Inc. from FY 2017 to FY 2021 at a total cost of \$2,007,876.00. [Approved by Vote: 7/0]

(Resource Person: Steven Carden – 919-560-4175 ext. 25244) ([PR# 11155](#))

18. Aquatic Facilities Master Plan Professional Services Contract with Ratio Architects, Inc.

To authorize the City Manager to execute a professional services contract with RATIO Architects, Inc. for an amount not to exceed \$115,500.00;

To establish a design contingency in the amount of \$2,000.00; and

To authorize the City Manager to negotiate and execute amendments to the Professional Services Agreement for the Aquatic Facilities Master Plan with RATIO Architects, Inc. provided the total cost does not exceed \$117,500.00. [Approved by Vote: 7/0]

(Resource Person: Marilee Martin – 919-560-4197 ext. 21285) ([PR# 11176](#))

21. Contract with Community Partnerships, Inc. – Workforce Innovation Opportunity Act (WIOA) Youth Framework Services from July 1, 2016 – June 30, 2017

To authorize the City Manager to execute a contract with Community Partnerships, Inc. to provide uninterrupted WIOA youth framework services from July 1, 2016 through June 30, 2017 for a contract amount of \$325,000.00. [Approved by Vote: 7/0]

(Resource Person: James Dickens – 919-560-4965 ext. 15217) ([PR# 11173](#))

22. Contract with Achievement Academy of Durham – Workforce Innovation Opportunity Act (WIOA) Youth Program Element Services from July 1, 2016 – June 30, 2017

To authorize the City Manager to execute a contract with Achievement Academy of Durham to provide uninterrupted WIOA youth program element services from July 1, 2016 through June 30, 2017 for a contract amount not to exceed \$77,685.00. [Approved by Vote: 7/0]

(Resource Person: James Dickens – 919-560-4965 ext. 15217) ([PR# 11174](#))

24. Contract for the Provision of Pre-Employment Psychological Testing – Law Enforcement Services Group, PLLC d/b/a The FMRT Group

To authorize the City Manager to execute a three-year contract in the total amount of \$96,250.00 with Law Enforcement Services Group, PLLC, d/b/a The FMRT Group for police pre-employment psychological examinations. [Approved by Vote: 7/0]

(Resource Person: Shawn Hughey – 919-560-1185 ext. 29460) ([PR# 11146](#))

25. Contract for the Provision of Police Psychological Services- Law Enforcement Services Group, PLLC d/b/a The FMRT Group

To authorize the City Manager to execute a three-year contract in the total amount of \$86,395.00 with Law Enforcement Services Group, PLLC, d/b/a The FMRT Group for psychological services. [Approved by Vote: 7/0]

(Resource Person: Shawn Hughey – 919-560-1185 ext. 29460) [\(PR# 11147\)](#)

26. Award of Contract to AshBritt, Inc. – Debris Removal and Management Services

To authorize the City Manager to execute a contract for debris removal and management services with AshBritt, Inc. in an amount not to exceed \$3,259,410.00; and

To authorize the City Manager to negotiate change orders to this contract as needed to provide debris and management services during federally declared emergency weather events or during disasters that cause damage that is beyond the City's internal response and recovery capacity. [Approved by Vote: 7/0]

(Resource Person: Marvin Williams – 919-560-4326 ext. 30225) [\(PR# 11175\)](#)

27. Award of Contract to Tetra Tech, Inc – Debris Removal Monitoring Services

To authorize the City Manager to execute a contract for debris removal monitoring services with Tetra Tech, Inc. at the initial estimated amount of \$1,071,120.00; and

To authorize the City Manager to negotiate change orders to this contract as needed to provide debris removal monitoring services during federally declared emergency weather events or during disasters that cause damage that is beyond the City's internal response and recovery capacity. [Approved by Vote: 7/0]

(Resource Person: Marvin Williams – 919-560-4326 ext. 30225) [\(PR# 11178\)](#)

28. Inter-local Agreement with Durham County for Processing and Hauling of Recyclable Materials

To authorize the City Manager to enter into an agreement with the County to provide target recycling processing and hauling service to the County at a rate of \$18.13 per ton. [Approved by Vote: 7/0]

(Resource Person: Beverly Evans – 919-560-4186 ext. 32250) [\(PR# 11166\)](#)

46. Resolution in Support of Action by the City of Durham Addressing Violence Among Young African-American Males

To adopt a Resolution in Support of Action by the City of Durham to Address Violence Among Young African-American Males. [Approved by Vote: 7/0]

(Resource Person: Mayor Pro Tempore Cora Cole-McFadden – 919-560-4333) [\(PR# 11206\)](#)

48. Appointment Confirmation to the Civilian Police Review Board

To confirm the City Manager's appointment of Cassandra R. Johnson to the Civilian Police Review Board. [Approved by Vote: 7/0] (Resource Person: Karmisha R. Wallace – 919-560-4222 ext. 11228) ([PR# 11205](#))

49. Amendment to Building and Services Agreement between City of Durham and the Carolina Theatre of Durham, Inc.

To approve an amendment to the Building and Services Agreement between the City of Durham and the Carolina Theatre of Durham, Inc.; and

To authorize the City Manager to execute an amendment to the Building and Services Agreement between the City of Durham and the Carolina Theatre of Durham, Inc. [Approved by Vote: 7/0]

(Resource Person: Reginald J. Johnson – 919-560-4965 ext. 22223) ([PR# 11210](#))

51. Contract with Educational Data System Inc. – Adult and Dislocated Worker Services and NC Works Career Center Operator from July 1, 2016 – June 30, 2017.

To authorize the City Manager to execute a contract with Educational Data Systems, Inc. to provide uninterrupted Adult and Dislocated Worker services and to act as the new NCWorks Career Center Operator from July 1, 2016 through June 30, 2017 for a contract amount of \$655,000.00. [Approved by Vote: 7/0]

(Resource Person: Jennifer Jones – 919-560-4965 ext. 15218) ([PR# 11189](#))

52. North Carolina Institute of Minority and Economic Development Building Basement Renovations Contract Award, ST-259 – C. T. Wilson Construction Company, Inc.

To authorize the City Manager to execute a contract for North Carolina Institute of Minority and Economic Development (NCIMED) Building Basement Renovations, ST-259 with C. T. Wilson Construction Company., Inc. of Durham, North Carolina, in the amount of \$422,106.35;

To establish a contingency fund in the amount of \$63,315.95 (15%);

To authorize the City Manager or his designee to execute change orders provided that the cost of all change orders does not exceed \$63,315.95 and the total project cost does not exceed \$485,422.30; and

To ratify the existing agreement negotiated between the City of Durham and the North Carolina Institute of Minority and Economic Development granting the City permission to carry out the project on private property owned by the Institute. [Approved by Vote: 7/0]

(Resource Person: Tasha Johnson – 919-560-4326 ext. 30262) [\(PR# 11198\)](#)

The City Council disposed of the following agenda items at the June 9, 2016 Work Session:

6. Resolution Memorializing Angela Vandoren Langley

(This item was approved at the 06-09-16 Work Session with a vote of 7/0)

19. Compensation and Classification Plan Recommendations

(This item was approved at the 06-09-16 Work Session with a vote of 7/0)

20. City of Durham Employment and Training 2015-2017 Grant Project Ordinance Superseding Grant Project Ordinance #14913

(This item was approved at the 06-09-16 Work Session with a vote of 7/0)

23. Durham Public Schools Career and Technical Education Grant Project Ordinance

(This item was approved at the 06-09-16 Work Session with a vote of 7/0)

39. Scott Barndt

(Citizen did not appear at the 06-09-16 Work Session)

40. Phyllis Arrington-McGee

(Comments were received at the 06-09-16 Work Session)

41. Anita Keith-Foust

(Comments were received at the 06-09-16 Work Session)

42. Charles McClure

(Citizen departed and comments weren't received at the 06-09-16 Work Session)

43. Bradford Thompson

(Citizen departed and comments weren't received at the 06-09-16 Work Session)

44. Sarah Craft

(Comments were received at the 06-09-16 Work Session)

45. Neighborhood Stabilization in North East Central Durham

(A presentation was received at the 06-09-16 Work Session)

50. FY2017 Agreement to Fund Economic Development Programs and Services Operated by Downtown Durham, Inc.

(This item was referred back to the Administration – Office of Economic Development)

[General Business Agenda – Public Hearings]

29. Comprehensive Plan Amendment-Witherspoon Garrett (A1500023)

To conduct a public hearing to receive comments on the Witherspoon Garrett (Case A1500023) plan amendment; and

To adopt a Resolution to Change the Future Land Use from Office to Low Density Residential. [Approved by Vote: 7/0]

(Resource Person: Grace Smith, AICP – 919-560-4137 ext. 28215) ([PR# 11159](#))

30. Zoning Map Change-Witherspoon Garrett Road (Z1500037)

To conduct a public hearing to receive comments on the zoning map change for Witherspoon Garrett Road (Z1500037); and

To adopt an Ordinance Amending the Unified Development Ordinance by taking the described property in zoning map change case Z1500037 out of Office Institutional (OI) and placing same in and establishing same as Residential Rural with a development plan (RR(D)). [Approved by Vote: 7/0]

To adopt a consistency statement as required by GS 160A-383. [Approved by Vote: 7/0]

(Resource Person: Grace Smith, AICP – 919-560-4137 ext. 28215) ([PR# 11126](#))

31. Unified Development Ordinance Text Amendment, Technical Updates – Graphics (TC1500002)

To conduct a public hearing to receive comments on the Unified Development Ordinance Text Amendment, Technical Updates – Graphics (TC1500002); and

To adopt an Ordinance Amending the Unified Development Ordinance, incorporating revisions to Article 6, District Intensity Standards; Article 9, Landscaping and Buffering; Article 10, Parking and Loading; and Article 16, Definitions. [Approved by Vote: 7/0]

To adopt the appropriate consistency statement as required per NCGS Â§ 160A-383.
[Approved by Vote: 7/0]

(Resource Persons: Michael Stock, AICP and Steven L. Medlin, AICP – 919-560-4137)
[\(PR# 11157\)](#)

32. Unified Development Ordinance Text Amendment, Technical Updates Due to State Legislation and Case Law (TC1500007)

To conduct a public hearing to receive comments on the Unified Development Ordinance Text Amendment, Technical Updates due to State Legislation and Case Law (TC1500007); and

To adopt an Ordinance Amending the Unified Development Ordinance, incorporating revisions to Article 3, Applications and Permits; Article 4, Zoning Districts; Article 5, Use Regulations; Article 6, District Intensity Standards; Article 7, Design Standards; Article 8, Environmental Protection; Article 9, Landscaping and Buffering; Article 12, Infrastructure and Public Improvements; and Article 16, Definitions. [Approved by Vote: 7/0]

To adopt the appropriate consistency statement as required per NCGS Â§ 160A-383.
[Approved by Vote: 7/0]

(Resource Persons: Michael Stock, AICP and Steven L. Medlin, AICP – 919-560-4137)
[\(PR# 11158\)](#)

33. Unified Development Ordinance Text Amendment – Reasonable Accommodation (TC1500006)

To conduct a public hearing to receive comments on the Unified Development Ordinance Text Amendment – Reasonable Accommodation (TC1500006); and

To adopt an Ordinance Amending the Unified Development Ordinance, incorporating revisions to Article 2, Review Authority; Article 3, Applications and Permits; and Article 16, Definitions. [Approved by Vote: 7/0]

To adopt the appropriate consistency statement as required per NCGS Â§ 160A-383.
[Approved by Vote: 7/0]

(Resource Persons: Supriya Chewle, AICP and Steven L. Medlin, AICP – 919-560-4137) [\(PR# 11165\)](#)

34. Consolidated Annexation – Estates at Fendol Farm (BDG1500008, Z1500033A)

To conduct a public hearing to receive comments on the Consolidated Annexation – Estates at Fendol Farm (BDG1500008, Z1500033A);

To authorize the City Manager to enter into a utility extension agreement with RREF II-FH NC SIERRA, LLC;

To adopt an Ordinance Annexing 'Estates at Fendol Farm' (BDG1500008) into the City of Durham effective June 30, 2016; and

To adopt an Ordinance Amending the Durham Zoning Atlas and Unified Development Ordinance to establish Residential Rural, Falls/Jordan-B (RR, F/J-B) zoning for the property. [Approved by Vote: 7/0]

To adopt a consistency statement as required by NCGS 160A-383. [Approved by Vote: 7/0]

(Resource Persons: Grace Smith, AICP and Jacob Wiggins – 919-560-4137) ([PR# 11160](#))

35. Consolidated Annexation – T. W. Alexander at NC-55 (BDG1500015, A1500013, Z1500032)

To conduct a public hearing to receive comments on the Consolidated Annexation – T.W. Alexander at NC-55 (BDG1500015, A1500013, Z1500032);

To authorize the City Manager to enter into a water and sewer extension agreement with Hopper Communities, LLC;

To adopt an Ordinance Annexing the T. W. Alexander at NC-55 development (Case BDG1500015, A1500013, Z1500032) into the City of Durham effective June 30, 2016;

To adopt a Resolution to change the Land Use designation on the Future Land Use Map of the Durham Comprehensive Plan from Medium Density Commercial and Industrial to Medium-High Density Residential (case A1500013); and

To adopt an Ordinance Amending the Unified Development Ordinance by taking the described property in zoning map change case Z1500032 out of Residential Rural (RR) and Commercial Neighborhood (CN) (County Jurisdiction) and placing same in and establishing same as Residential Suburban-Multifamily with a development plan (RS-M(D)). [Approved by Vote: 7/0]

To adopt a consistency statement as required by NCGS 160A-383. [Approved by Vote: 7/0]

(Resource Person: Grace Smith, AICP – 919-560-4137 ext. 28257) ([PR# 11161](#))

36. Consolidated Annexation – Crescent Drive/Farrington Road (BDG1500016, Z1600010A)

To conduct a public hearing to receive comments on the Consolidated Annexation – Crescent Drive/Farrington Road (BDG1500016, Z1600010A);

To adopt an Ordinance Annexing Crescent Drive/Farrington Road (BDG1500016) into the City of Durham effective June 30, 2016; and

To adopt an Ordinance Amending the Durham Zoning Atlas and Unified Development Ordinance to establish Residential Suburban-20, Major Transportation Corridor, Falls/Jordan-B (RS-20, MTC, F/J-B) zoning for the property. [Approved by Vote: 7/0]

To adopt a consistency statement as required by NCGS 160A-383. [Approved by Vote: 7/0]

(Resource Persons: Grace Smith, AICP and Jacob Wiggins -919-560-4137 ext. 28215) [\(PR# 11162\)](#)

37. Consolidated Annexation – Herndon Road (BDG1500017, Z1600011A)

To conduct a public hearing to receive comments on the Consolidated Annexation – Herndon Road (BDG1500017, Z1600011A);

To authorize the City Manager to enter into a utility extension agreement with Householder Holdings, LLC;

To adopt an Ordinance Annexing Herndon Road (BDG1500017) into the City of Durham effective June 30, 2016; and

To adopt an Ordinance Amending the Unified Development Ordinance to establish Residential Suburban-10, Falls/Jordan-B (RS-10, F/J-B) zoning for the property. [Approved by Vote: 7/0]

To adopt a consistency statement as required by NCGS 160A-383. [Approved by Vote: 7/0]

(Resource Persons: Grace Smith, AICP and Jacob Wiggins – 919-560-4137) [\(PR# 11163\)](#)

38. Ordinance to Change City-County Planning Department Fees

To conduct a public hearing to receive comments on the City-County Planning Department Fees; and

To adopt an Ordinance to change Chapter 6 of the Fee Schedule of the City of Durham,

City-County Planning Department Fees. [Approved by Vote: 7/0]

(Resource Person: Patrick O. Young, AICP – 919-560-4137 ext. 28273) ([PR# 11164](#))

47. Street Closing – Wilkerson Avenue (SC1600004)

To conduct a public hearing to receive comments on the Street Closing – Wilkerson Avenue (SC1600004); and

To adopt an Order permanently closing 414.35 linear feet of Wilkerson Avenue.
[Approved by Vote: 7/0]

(Resource Persons: Grace Smith and Kyle Taylor – 919-560-4137) ([PR# 11212](#))

[Supplemental Agenda]

53. Zoning Map Change – Cornwallis Road Property II (Z1500031)

If a council member elects to renew the previously considered comprehensive plan amendment motion, the following motion would be appropriate:

Having conducted a public hearing and having received public comment on the Cornwallis Road Residential II (A1500012) Plan Amendment at City Council's April 4, 2016 meeting, I would like to renew the previously considered motion to adopt a resolution to change the Future Land use from Medium Density Residential and Commercial to Low Density Residential.

To continue a public hearing and receive comments on the zoning map change for Cornwallis Road Residential II (Z1500031); and

To adopt an Ordinance Amending the Unified Development Ordinance by taking the described property in zoning map change case Z1500031 out of Residential Suburban – 20 (RS-20) and Commercial General (CG) and placing same in and establishing same as Planned Development Residential (PDR 3.672) [FAILED by vote of 0/7] Ayes: None. Noes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Davis, Johnson, Moffitt, Reece and Schewel]

To adopt a consistency statement as required by GS 160A-383. [No vote was taken on the consistency statement]

(Resource Person: Grace Smith, AICP – 919-560-4137 ext. 28215) ([PR# 11011](#))

54. FY2016-17 Non-Exempt Pay Structure Adjustment Recommendation

To amend and adopt the recommended adjustments to the City of Durham's Non-Exempt Pay Structure. [Approved by Vote: 7/0]

(Resource Person: Alethea Hardy – 919-560-4214 ext. 23026) ([PR# 11213](#))

55. Resolution of Condolence and Support Following the Massacre at Pulse in Orlando, Florida

To adopt a Resolution of Condolence and Support Following the Massacre at Pulse in Orlando, Florida. [Approved by Vote: 7/0]

Resource Person: Council Member Don Moffitt – 919-560-4333) ([PR# 11214](#))

[Adjournment – 10:12 p.m.]

Notice Under the Americans with Disabilities Act (ADA).

The City of Durham will not discriminate against qualified individuals with disabilities on the basis of disability in the City's services, programs, or activities. The City will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in the City's programs, services, and activities. The City will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all City programs, services, and activities. Anyone who requires an auxiliary aid or service for effective communications, or a modification of policies or procedures to participate in the City program, service, or activity, should contact the office of Stacey Poston, Acting ADA Coordinator, Voice: (919)560-4197, ext. 21254, TTY:(919) 560-1200; ADA@durhamnc.gov, as soon as possible but no later than 48 hours before the scheduled event.